

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended no claims. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-6, 8-15 and 17 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-3, 6, 8-12, 15 and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kohli, et al. (hereinafter Kohli) (US Patent No. 7,213,068B1) The Applicant respectfully traverses the rejection of these claims.

The Applicant respectfully directs the Examiner's attention to claim 1:

1. (Previously Presented) A method for policy-based control of a communication network having a distributed architecture, including at least one heterogeneous communication network comprising:
 - messaging between network elements, said network elements comprising at least one policy enforcement point (PEP), one or more policy decision points (PDPs), which network elements provide for registering events;
 - sending notifications of the occurrence of events; and
 - enforcing a policy upon said events if certain conditions are met, wherein said at least one PEP serves as a server towards at least one PDP, being a client. (emphasis added)

The Applicant respectfully submits that the Kohli reference does not teach or suggest a PDP being a client and a PEP serving as a server towards the PDP.

The Detailed Action equates the Kohli "Policy Enabling Point" (PEP) to the PEP acronym in the present application. However, the Applicant's use of the acronym PEP, i.e., "Policy Enforcement Point", was a well known term of art prior to the filing of the Kohli reference. Furthermore, the Kohli reference defines the Policy Enabling Point term in great detail (col. 9, line 54 – col. 10, line 55). The description of the Policy Enabling Point does not jibe with the understood and well known description of a Policy Enforcement Point as described in the Background (para. 8 and 9) of the present

invention. Furthermore, if Kohli's Policy Enabling Point was the well known term of art, PEP, there would be no reason to provide so much detail. The Applicant respectfully submits that the PEP acronym in the present invention is not the same as the PEP acronym in the Kohli reference.

The Detailed action states "...wherein said at least one PEP serves as a server towards at least one PDP, being a client (device server(PEP), 18 and 20 in figure 1, collects events and distributes the events to policy server (PDP), therefore the device server is functioning as a server and the policy server as a client)". The Applicant respectfully disagrees with the interpretation of the cited portion of Kohli.

As stated previously and in claim 1, the Policy Enforcement Point (PEP) acts as a server towards a Policy Decision Point (PDP). The Detailed Action appears to equate Kohli's device servers 18 and 20 to the Applicant's PEP. As noted above Kohli's PEP is not the same as the Applicant's PEP. Furthermore, the portion describing the policy enabling point indicates the PEPs of Kohli act as clients, not as servers.

The Applicant respectfully notes that as stated in the Background of the Specification, which was filed three years after the Kohli reference, "The described state of the art specifications consider the PEP a client and the PDP a server." (para. 11) Also in the Specification referring to Common Open Policy Services (COPS), "The model is based on the server returning decisions to policy requests, wherein the PEP sends a request to the PDP to become its client and wherein the PDP as server decides whether or not to accept the PEP client." (para. 11) So, at the time of the Kohli reference a Policy Enforcement Point was considered a client and not a server.

The Applicant respectfully submits that the Kohli reference does not disclose all the elements of claim 1. This being the case, the allowance of claim 1 and the analogous claim 10 is respectfully requested. Claims 2-3, 6, 8-9, 11-12, 15 and 17 depend from claims 1 and 10 respectively and recite further limitations in combination with the novel elements of claims 1 and 10. The allowance of these dependent claims is also requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohli et al (hereinafter Kohli) (US Patent No. 7,213,068B1) as applied to claims 1 and 10 above, and further in view of Putzolu (US Patent No. 6,578,076B1). The Applicant respectfully traverses the rejection of these claims.

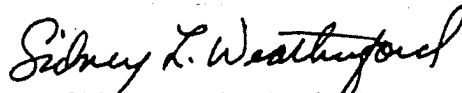
Putzolu is cited for teaching a priority scheme applied as in the Applicant's claims 4, 5, 13 and 14. A priority scheme is disclosed, but the Applicant respectfully disagrees with the Examiner's interpretation of the cited portion of the Putzolu reference. Putzolu is interpreted as teaching a priority scheme used to make a local decision at policy client PEP (col. 5, lines 16-26). As the Applicant has described, Putzolu describes and the Detailed Description also describes that the Policy Enforcement Point is serving as a policy client. As the Applicant teaches and has claimed, the PEP acts as a server towards the PDP and both Kohli and Putzolu teach away from that. This being the case, the Applicant respectfully requests the allowance of claims 4, 5, 13 and 14.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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